

EXECUTIVE COUNCIL OF IOWA

AGENDA

JANUARY 28, 2013

1. Introduction of Attendees
2. Approval of minutes of meeting held January 14, 2013
3. Outside Counsel – Page 1
TAB #'s 1, 2 and 3
4. Leases – Pages 1 - 2
5. Emergency Allocations – Page 2
6. Payment of Cost Items – Pages 2 - 5
7. Transfer of Property – Page 5
TAB # 4
8. New Memberships – Page 5
9. Renewal Memberships – Page 5 - 8
10. Information Items – Page 8
TAB #'s 5, 6 and 7

3. Outside Counsel

- A. The Department of Justice, Attorney General's office requests retention of special counsel pursuant to Iowa Code section 13.3(1) in Donald D. Bordwell, Jr. v. Fort Dodge Correctional Facility and the Second Injury, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.

Attorney: Ryan Clark

505 5th Avenue

Suite 729

Des Moines, Iowa 50309

Rate: \$80.00 per hour

TAB # 1

- B. The Department of Justice, Attorney General's office requests retention of special counsel pursuant to Iowa Code section 13.3(1) in Diane Tournier v. University of Northern Iowa and the Second Injury, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.

Attorney: Ryan Clark

505 5th Avenue

Suite 729

Des Moines, Iowa 50309

Rate: \$80.00 per hour

TAB # 2

- C. The Department of Justice, Attorney General's office requests retention of special counsel to provide legal advice to Iowa Racing and Gaming Commission regarding new Casino in Woodbury County.

Firm: Hamilton Quigley & Twait PLC

Attorney: Mr. Kevin Quigley

W1450 First National Bank Building

332 Minnesota Street

St. Paul, MN 55101-1314

Rate: \$425.00 per hour

TAB # 3

4. Leases

- A. Lease between DNR and Continental Cement, L.L.C.

Date of Lease: Five Years, expiring August 17, 2017

Legal Description: A portion of the sovereign bed of the Mississippi River more particularly described as a tract with a frontage of 300 feet by a depth of 250 feet at River Mile 486.8 located in NW ¼ of the NW ¼ of Section 34, Township 78 North, Range 4 East of the 5th P.M., Scott County, Iowa.

Annual Fee: \$5,850.00

- B. Lease between DNR and Pipeline Terminals, L.P.
 Date of Lease: Five Years, expiring September 30, 2017
 Legal Description: A portion of the Mississippi River bed located at River Mile 488.5, Section 26, Township 78 North, Range 4 East of the 5th P.M. in Scott County, Iowa.
 Annual Fee: \$ 300.00

- C. Lease between DNR and Interstate Power and Light Company
 Date of Lease: Five Years expiring October 31, 2017
 Legal Description: A parcel of the bed of the Mississippi River including approximately 1400 feet of frontage by 200 feet of depth located at Mississippi River Mile 660 located in Section 2, Township 98 North, Range 3 West of the 5th P.M., Allamakee County, Iowa.
 Annual Fee: \$9,790.00

David Dorff, Assistant Attorney General, has reviewed the above leases and approved the leases as to form.

5. Emergency Allocations

- A. Iowa State Fair is requesting a supplemental emergency allocation in the amount of \$5,975.00 due to additional costs of repairs pertaining to the damage at the Ticket Booth 3 at the Iowa State Fair on July 7, 2012 which was damaged from a fire.

The State Auditor's Office has reviewed this request and recommends allocation, subject to an audit of actual invoices. The total allocation now totals \$10,935.00.

6. Payment of Cost Items

- A. Patterson Law Firm L.L.P..... \$120.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Angel Tew v. Department of Revenue, State of Iowa and the Second Injury Fund

- B. Patterson Law Firm L.L.P..... \$384.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Pam O'Brien v. Iowa Attorney General, State of Iowa and the Second Injury Fund

- C. Patterson Law Firm L.L.P..... \$79.50
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Eleanor Murphy v. Iowa Veterans Home, State of Iowa and the Second Injury Fund
- D. Patterson Law Firm L.L.P..... \$168.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Mary Kimball v. Woodward State Hospital School, State of Iowa and the Second Injury Fund
- E. Patterson Law Firm L.L.P..... \$329.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
David Ozolins v. University of Iowa and Second Injury Fund of Iowa
- F. Patterson Law Firm L.L.P..... \$324.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
William Gehle v. Iowa State Penitentiary, State of Iowa and the Second Injury Fund
- G. Patterson Law Firm L.L.P..... \$318.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Lisa Shelford v. Iowa State Penitentiary, the State of Iowa and the Second Injury Fund
- H. Patterson Law Firm L.L.P..... \$107.50
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Kenneth Kincaid v. Iowa Department of Transportation, State of Iowa and the Second Injury Fund.

- I. Patterson Law Firm L.L.P..... \$120.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
David Boal v. University of Iowa, State of Iowa and the Second Injury Fund.

Julie Pottorff, Deputy Attorney General, has reviewed these invoices and recommends payment.

- J. Belin McCormick, P.C.\$236.00
666 Walnut, Suite 2000
Des Moines, IA 50309-3999
Harper Brush Works, Inc. Fairfield IA Bankruptcy

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made by the Economic Development Authority.

- K. Shuttleworth and Ingersoll, P.L.C..... \$105.00
115 3rd Street South East
Suite 500
Cedar Rapids, IA 52401
Mills v. Iowa Board of Regents et al., an employment termination case

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made both from the General Fund (\$80.00 per hour) and by the Board of Regents (\$95.00 per hour plus expenses).

- L. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$36.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Represent Iowa in copyright, trademark, and patent legal advice for various agencies

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Iowa Economic Development Authority.

M. Bradley Arant Boult Cummings, LLP..... \$2,351.00
PO Box 830709
Birmingham, Alabama 35283-0709
Kenneth W. Kelley v. Raymond J. Smith et al

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment.

7. Transfer of Property

The Department of Public Defense, Iowa National Guard is requesting transfer of National Guard Armory to Emmet County

TAB # 4

8. New Membership

- A. Public Health in Iowa Association of Rural Health Clinics in the amount of \$250.00 for 01/01/13 - 12/31/13. NEW – Other Agencies: None
Funding Source: Federal 100%

9. Renewal Memberships

- A. Agriculture & Land Stewardship in National Association State Conservation in the amount of \$3,000.00 for 01/01/13 - 12/31/13. (Previous amount was \$3,000.00) Other agencies: None Funding Source: State General Fund -100%
- B. AG- Development Authority in National Council of State Agricultural Finance Programs in the amount of \$200.00 for 01/01/13 - 12/31/13. (Previous amount was \$200.00) Other agencies: None Funding Source: Other-100% Beginning Farm Loan Program and Beginning Farmer Tax Credit Program.
- C. Attorney General in Mid-States Organized Crime Information Center in the amount of \$300.00 for 01/01/13 - 12/31/13. (Previous amount was \$300.00) Other agencies: None Funding Source: Other-100% Consumer Funds
- D. Auditor of State in Association of Government Accountant in the amount of \$95.00 for 04/01/13 - 03/31/14. (Previous amount was \$95.00) Other agencies: None Funding Source: State General Fund-100%
- E. Commerce - Professional Licensing in Association of Appraisers in the amount of \$350.00 for 01/01/13 - 12/31/13. (Previous amount was \$350.00) Other agencies: None Funding Source: Other-100% Licensing Fees

- F. Commerce - Professional Licensing in National Council of Engineering Examiners in the amount of \$6,500.00 for 01/01/13 - 12/31/13. (Previous amount was \$6,500.00) Other agencies: None Funding Source: Other-100% Licensing Fees
- G. Commerce - Banking in American Association of Residential Mortgage Regulators in the amount of \$750.00 for 01/01/13 - 12/31/13. (Previous amount was \$750.00) Other agencies: None Funding Source: Other-100% Industry Fees
- H. Corrections in Correctional Industries Association in the amount of \$1,275.00 for 01/01/13 - 12/31/13. (Previous amount was \$1,275.00) Other agencies: None Funding Source: Other-100% IPI Self-Funded
- I. Corrections Anamosa in Mid-States Organized Crime Information Center in the amount of \$300.00 for 01/01/13 - 12/31/13. (Previous amount was \$300.00) Other agencies: None Funding Source: State-100%
- J. Iowa Finance Authority in Iowa Commercial Real Estate Association in the amount of \$85.00 for 01/01/13 - 12/31/13. (Previous amount was \$85.00) Other agencies: None Funding Source: Other-100% Self-Funded
- K. IPERS in Institutional Limited Partners Association (ILPA) in the amount of \$3,000.00 for 01/01/13 - 12/31/13. (Previous amount was \$2,500.00) Other agencies: None Funding Source: Other-100% IPERS
- L. IPERS in Iowa Association of Legal Assistants/Paralegals (IALA) in the amount of \$90.00 for 02/01/13 - 01/31/14. (Previous amount was \$90.00) Other agencies: None Funding Source: Other-100% IPERS
- M. IPERS in National Conference of State Social Security Administrations (NCSSSA) in the amount of \$250.00 for 01/01/13 - 12/31/13. (Previous amount was \$250.00) Other agencies: None Funding Source: Other-100% IPERS
- N. IPERS in National Council of Real Estate Investment Fiduciaries (NCREIF) in the amount of \$2,500.00 for 01/01/13 - 12/31/13. (Previous amount was \$2,500.00) Other agencies: None Funding Source: Other-100% IPERS
- O. IPERS in National Council on Teacher Retirement (NCTR) in the amount of \$3,000.00 for 01/01/13 - 12/31/13. (Previous amount was \$3,000.00) Other agencies: None Funding Source: Other-100% IPERS

- P. IPERS in National Institute on Retirement Security (NIRS) in the amount of \$5,000.00 for 01/01/13 - 12/31/13. (Previous amount was \$5,000.00) Other agencies: None Funding Source: Other-100% IPERS
- Q. IPERS in Public Pension Financial Forum (P2F2) in the amount of \$300.00 for 01/01/13 - 12/31/13. (Previous amount was \$300.00) Other agencies: None: Funding Source: Other-100% IPERS
- R. Public Health in Health Level Seven International in the amount of \$1,050.00 for 01/06/13 - 01/05/14. (Previous amount was \$1,050.00) Other agencies: None Funding Source: Federal-100%
- S. Human Rights in Coalition For Juvenile Justice in the amount of \$4,750.00 for 01/01/13 - 12/31/13. (Previous amount was \$5,000.00) Other agencies: None Funding Source: Federal-100%
- T. Iowa Economic Development Authority in Midwest Travel Writers in the amount of \$125.00 for 01/01/13 - 12/31/13. (Previous amount was \$125.00) Other agencies: None Funding Source: State General Fund-100%
- U. Iowa Economic Development Authority in Travel & Tourism Research Association in the amount of \$230.00 for 01/01/13 - 12/31/13. (Previous amount was \$230.00) Other agencies: None Funding Source: State General Fund -100%
- V. Natural Resources in Association of American State Geologists in the amount of \$300.00 for 01/01/13 - 12/31/13. (Previous amount was \$300.00) Other agencies: None Funding Source: Other-100% Environment First Appropriation
- W. Natural Resources in Association of Boards of Certification in the amount of \$1,800.00 for 01/01/13 - 12/31/13. (Previous amount was \$1,800.00) Other agencies: None Funding Source: Other-100% Solid Waste Fees
- X. Public Defense in Adjutants General Association of the United States (AGAUS) in the amount of \$250.00 for 01/01/13 - 12/31/13. (Previous amount was \$250.00) Other agencies: None Funding Source: State General Fund -100%
- Y. Public Defense in The Construction Specifications Institute in the amount of \$320.00 for 01/01/13 - 01/01/14. (Previous amount was \$310.00) Other agencies: None Funding Source: Federal -100%

- Z. Public Health in Association of Social Work Boards in the amount of \$1,000.00 for 01/01/13 - 12/31/13. (Previous amount was \$1,000.00) Other agencies: None Funding Source: Other-100% Retained Fees
- AA. Public Health in Iowa Rural Health Association in the amount of \$175.00 for 01/01/13 - 12/31/13. (Previous amount was \$175.00) Other agencies: None Funding Source: Federal -100%
- BB. Public Health in Organization National Council of State Boards of Examiners for Speech-Language Pathology & Audiology in the amount of \$400.00 for 01/01/13 - 12/31/13. (Previous amount was \$400.00) Other agencies: None Funding Source: Other-100% Retained Fees
- CC. Public Health in National Rural Health Association in the amount of \$675.00 for 02/01/13 - 01/31/14. (Previous amount was \$660.00) Other agencies: None Funding Source: Federal -100%
- DD. Treasurer of State in Iowa Treasury Management Association in the amount of \$250.00 for 01/01/13 - 12/31/13. (Previous amount was \$250.00) Other agencies: None Funding Source: State General Fund - 100%

10. Information Items

Status of State Aid (Iowa Code 29C.20) Allocations quarterly up-date.
TAB'S #'s 5, 6 and 7

EXECUTIVE COUNCIL
THOMAS J. MILLER
ATTORNEY GENERAL
JAN 9:37



TAB # 1

JULIE F. POTTORFF
DEPUTY ATTORNEY GENERAL

Iowa Department of Justice

Address Reply To:
1305 E. Walnut Street
Des Moines, Iowa 50319
Telephone: 515/281-3349
Fax: 515/281-4209
Julie.Pottorff@iowa.gov

January 15, 2013

GeorgAnna Madsen
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Retention of Outside Counsel

Dear GeorgAnna:

Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Donald D. Bordwell, Jr. v. Fort Dodge Correctional Facility and the Second Injury Fund*, a workers' compensation case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5th Avenue, Suite 729, Des Moines, Iowa, 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$80.00 per. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,

A handwritten signature in cursive script, reading "Julie F. Pottorff".

JULIE F. POTTORFF
Deputy Attorney General

cc: Julie Burger



TAB # 2

THOMAS J. MILLER
ATTORNEY GENERAL

JULIE F. POTTORFF
DEPUTY ATTORNEY GENERAL

Address Reply To:
1305 E. Walnut Street
Des Moines, Iowa 50319
Telephone: 515/281-3349
Fax: 515/281-4209
Julie.Pottorff@iowa.gov

Iowa Department of Justice

January 22, 2013

GeorgAnna Madsen
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Retention of Outside Counsel

Dear GeorgAnna:

Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Diane Tournier. v. University of Northern Iowa and the Second Injury Fund*, a workers' compensation case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5th Avenue, Suite 729, Des Moines, Iowa, 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$80.00 per. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,

A handwritten signature in cursive script, reading "Julie F. Pottorff".

JULIE F. POTTORFF
Deputy Attorney General

cc: Julie Burger



TAB # 3

THOMAS J. MILLER
ATTORNEY GENERAL

EXECUTIVE COUNCIL
JAN 24 10:30

JULIE F. POTTORFF
DEPUTY ATTORNEY GENERAL

Iowa Department of Justice

Address Reply To:
1305 E. Walnut Street
Des Moines, Iowa 50319
Telephone: 515/281-3349
Fax: 515/281-4209
Julie.Pottorff@iowa.gov

January 24, 2013

GeorgAnna Madsen
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Request for Special Counsel

Dear GeorgAnna:

The Iowa Racing and Gaming Commission is currently reviewing applications for a new casino in Woodbury County. The parent entity of one applicant is the Winnebago Tribe of Nebraska, a sovereign tribal nation. In order to process the application the Commission will need legal advice on Indian gaming issues and how tribal business transactions relate to commercial gaming, municipal law, and state agency processes. Our office lacks the expertise to handle the full range of these legal issues.

The Commission has contacted Hamilton Quigley & Twait PLC, W1450 First National Bank Building, 332 Minnesota Street, St. Paul, Minnesota, 55101-1314. The firm has agreed that Kevin Quigley and Tom Foley would advise the Commission through the application process at \$425 per hour plus expenses. This represents a \$50 per hour discount from the usual hourly rate for these attorneys. The Commission and the firm anticipate a total expenditure of between \$20,000 - \$50,000. The attorney fees will be paid by the Commission from application fees collected during the licensing process.

Accordingly, our office requests Executive Council approval to retain Hamilton Quigley & Twait PLC at \$425 per hour to advise the Commission.

Sincerely,

JULIE F. POTTORFF
Deputy Attorney General

THOMAS J. MILLER
ATTORNEY GENERAL

EXECUTIVE COUNCIL
2013 JAN 14 AM 9:43



TAB # 4

Address Reply To:
Licensing & Administrative Law
1305 E. Walnut Street
Des Moines, Iowa 50319
Telephone: 515/281-5164
Fax: 515/281-7551
www.iowaAttorneyGeneral.org

Iowa Department of Justice

January 10, 2013

GeorgAnna Madsen
Executive Secretary
State Capitol
LOCAL

Re: Transfer of National Guard Armories

Dear GeorgAnna:

The Iowa National Guard would like to transfer real estate to Emmet County. Iowa Code section 29A.57(2) allows armory property to be sold or exchanged "when it is no longer needed for the purpose for which it was acquired." This transaction requires the approval of the Executive Council.

Some background on this transaction may be helpful. The proposed property transfer is the final step in a real estate transaction that started several years ago.

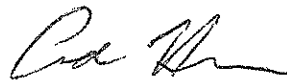
On June 29, 1999, the Armory Board of the State of Iowa approved the transfer of the existing Estherville armory facility and 1.24 acres of land to Emmet County in exchange for an adjacent 4.37 acres of land for the purpose of constructing a new armory in Estherville. Upon completing the new Estherville armory, the old armory was transferred to Emmet County on March 30, 2005, per the previous agreement.

Due to limitations imposed by the federal government on the federal funds used in the construction of a metal storage building at the old armory site, the Iowa National Guard could not immediately transfer title to the parcel that contained the storage building. The storage building has been leased to Emmet County since September 14, 2005, with the expectation that the transfer of title originally agreed upon would occur after the federal limitations expired in November 2012. The Armory Board re-approved the transfer of the storage building and underlying land to Emmet County at a meeting held on June 25, 2012.

GeorgAnna Madsen
January 10, 2013
Page 2

If approved, the attached patents for the transfer of property will complete the Iowa National Guard's real estate transaction with Emmet County. These patents have been reviewed and approved by the Attorney General's Office. Accordingly, our office recommends that the Executive Council approve the transfer of property by patent as described.

Sincerely,



ADAM HUMES
Assistant Attorney General
Ph: (515) 281-7687
Fax: (515) 281-7551
E-mail: Adam.Humes@iowa.gov

Enclosures

Preparer: Adam Humes, Assistant Attorney General, TEL: 515-281-3395; FAX: 515-281-7551
Iowa Department of Justice, Hoover State Office Building, Second Floor, Des Moines, IA 50319

State of Iowa

OFFICE OF THE SECRETARY OF STATE

Patent No. _____

STATE LAND OFFICE

The **STATE OF IOWA** hereby conveys to the **County of Emmet**, real estate in Emmet County, Iowa, described as:

A parcel of land lying adjacent to Lot 3 in FAIRGROUNDS SUBDIVISION, an Official Plat now included in and forming a part of the City of Estherville, Emmet County, Iowa and being a part of the East 60 acres of the North half of the Northeast one-quarter (NE ¼) of Section 14, Township 99 North, Range 34 West of the 5th P.M., Emmet County, Iowa more particularly described as follows:

Commencing at a point on the South right-of-way line of 3rd Avenue, as it is presently established, said point also being the central Northeast corner of said Lot 3; thence N90°00'00"E, along said line, a distance of 270.47 feet; thence S01°06'18"E, a distance of 125.10 feet to the Point of Beginning; thence S01°06'18"E, 75.00 feet to the Northwest corner of Lot 1, in said FAIRGROUNDS SUBDIVISION; thence N89°58'58"W along the Northerly line of said Lot 3, a distance of 70.00 feet; thence N01°06'18"W, 75.00 feet; thence S89°58'58"E, 70.00 feet to the Point of Beginning, containing 0.121 acres, more or less, and subject to any easements or restrictions of record.

AUTHORITY/CONSIDERATION: Authority and consideration for issuance of this patent are stated in the certificate of Major General Timothy E. Orr of the Iowa National Guard, a copy of which is filed with the State Land Office as provided in Iowa Code § 9G.6 (2011) and attached to this Patent as Exhibit "A".

Recital: This conveyance is exempt from real estate transfer tax and declaration of value pursuant to Iowa Code § 428A.2(6) (2011).

Effect of patent. As required by Iowa Code § 9G.14, this patent "shall inure to the benefit of the original purchaser in the original purchaser's grantees only, and a clause to this effect shall be inserted in the patent."

I, **Terry E. Branstad**, Governor of the State of Iowa, have caused this instrument to issue and the Great Seal of the State of Iowa to be affixed to it at Des Moines, on this _____ day of _____, 2012.

Terry E. Branstad, Governor

Matt Schultz, Secretary of State

I hereby certify that the foregoing Patent is recorded
in Vol. ____ Page ____ in the State Land Office.

Matt Schultz, Secretary of State

Preparer: Adam Humes, Assistant Attorney General, PH: 515-281-7687, FAX: 515-281-7551
Iowa Department of Justice, Hoover State Office Building, Second Floor, Des Moines, Iowa 50319

CERTIFICATE IN SUPPORT OF PATENT REQUEST

AND EXHIBIT "A" TO PATENT

TO: THE GOVERNOR AND SECRETARY OF STATE

RE: PATENT TO County of Emmet

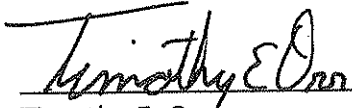
Pursuant to Iowa Code § 9G.6 (2011), Iowa National Guard requests a patent conveying to the County of Emmet real estate in Emmet County, Iowa, described as:

A parcel of land lying adjacent to Lot 3 in FAIRGROUNDS SUBDIVISION, an Official Plat now included in and forming a part of the City of Estherville, Emmet County, Iowa and being a part of the East 60 acres of the North half of the Northeast one-quarter (NE ¼) of Section 14, Township 99 North, Range 34 West of the 5th P.M., Emmet County, Iowa more particularly described as follows:

Commencing at a point on the South right-of-way line of 3rd Avenue, as it is presently established, said point also being the central Northeast corner of said Lot 3; thence N90°00'00"E, along said line, a distance of 270.47 feet; thence S01°06'18"E, a distance of 125.10 feet to the Point of Beginning; thence S01°06'18"E, 75.00 feet to the Northwest corner of Lot 1, in said FAIRGROUNDS SUBDIVISION; thence N89°58'58"W along the Northerly line of said Lot 3, a distance of 70.00 feet; thence N01°06'18"W, 75.00 feet; thence S89°58'58"E, 70.00 feet to the Point of Beginning, containing 0.121 acres, more or less, and subject to any easements or restrictions of record.

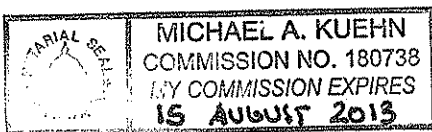
The parcel consists of 0.121 acres with an assessed value of \$37,199.27.

On June 25, 2012, the Armory Board approved the transfer of the property to the County of Emmet for \$1.00 and other good and sufficient consideration as permitted by Iowa Code § 29A.57.



Timothy E. Orr
Major General, Adjutant General
IOWA NATIONAL GUARD

STATE OF IOWA, POLK COUNTY: This instrument was acknowledged before me on the 12th day of ~~December~~, 2012 by Major General Timothy E. Orr as the Adjutant General of the Iowa National Guard.





NOTARY PUBLIC for the State of Iowa

Executive Council of Iowa
Status of Disaster Aid (Iowa Code 29C.6(17))
State / Federal Disaster Declarations

QUARTERLY UPDATE: 12/31/2012

EXECUTIVE COUNCIL
2013 JAN 18 PM 12:26

Executive Council Agenda -- Information Item

Agency Iowa Homeland Security and Emergency Management Division
Contact Name Pat Hall, Recovery Bureau Chief
Contact Phone 515-979-1835
Contact Email patrick.hall@iowa.gov

Declaration Number	Date of Event	Type of Event	Executive Council Authorized/Allocated	Expended Year-to-Date	Remaining State Liability	"X" if Final Update
DR 1688	02/23/2007 to 03/02/2007	Severe Winter Storms	\$ 10,073,096.41	\$ 9,139,903.92	\$ 933,192.49	
DR 1705	05/05/2007 to 05/07/2007	Severe Storms, Tornadoes, Floods	\$ 3,600,871.00	\$ 1,915,312.01	\$ 1,685,558.99	
DR 1727	08/17/2007 to 09/05/2007	Severe Storms, Floods	\$ 1,597,963.00	\$ 795,959.41	\$ 742,003.59	
DR 1737	12/10/2007 to 12/11/2007	Severe Winter Storms	\$ 4,569,933.00	\$ 3,804,561.32	\$ 765,371.68	
DR 1763*	05/25/2008 to 08/13/2008	Severe Storms, Tornadoes, Floods	\$ 58,099,526.00	\$ 29,715,202.94	\$ 28,384,323.06	
DR 1854	07/10/2009 to 07/10/2009	Severe Storms, Wind	\$ 1,063,522.00	\$ 166,240.85	\$ 897,281.15	
DR 1877	12/23/2009 to 12/27/2009	Severe Winter Storms, Snowstorm	\$ 1,819,200.00	\$ 621,707.56	\$ 1,197,492.44	
DR 1880	01/19/2010 to 01/26/2010	Severe Winter Storms	\$ 20,626,781.00	\$ 1,069,997.94	\$ 19,556,783.06	
DR 1828	05/12/2010 to 05/13/2010	Severe Storms, Floods	\$ 1,905,460.00	\$ 135,673.90	\$ 1,769,786.10	
DR 1930	06/01/2010 to 08/31/2010	Severe Storms, Tornadoes, Floods	\$ 11,012,620.00	\$ 2,366,958.88	\$ 8,645,661.12	
DR 1977	04/09/2011 to 04/10/2011	Severe Storms, Tornadoes, Straight-Line Winds	\$ 985,310.00	\$ 85,272.53	\$ 880,037.47	
DR 1998	05/25/2011 and 08/01/2011	Missouri River Flooding	\$ 9,620,888.00	\$ 1,325,690.17	\$ 8,295,197.83	
DR 4016	07/09/2011 to 07/14/2011	Severe Storms, Straight-line Winds, Floods	\$ 1,069,892.00	\$ 83,040.27	\$ 982,851.73	
DR 4018	07/27/2011 to 07/29/2011	Severe Storms, Floods	\$ 819,935.00	\$ 87,161.03	\$ 732,773.97	
TOTALS			\$ 126,776,997.41	\$ 51,312,682.73	\$ 75,464,314.68	

* DR 1763 -- Estimated state need = \$111,683,025

The above data is provided as an information update to the Executive Council of Iowa.

Patrick J. Hall, Recovery Bureau Chief

Date

Patrick J. Hall 1/12/13

FEMA Other Needs Assistance and State-Only Disaster Expenditures by Quarter

	Date Original Authoriz.	Cumulative Authorized Amount	Cumulative Spent To Date	2011 Jan-Mar	2011 Apr-Jun	2011 July-Sep	2011 Oct-Dec	2012 Jan-Mar	2012 Apr-Jun	2012 July-Sep	2012 Oct-Dec
1010 Appanoose, Johnson, Washington and Monona	8/9/10	78,214	78,214	17,707	0	0	0	0	0	0	0
1104 Monona, Sac, Buena Vista and Pocahontas storms	4/25/11	300,000	175,139	0	63,060	84,616	11,398	0	0	16,066	0
1105 Taylor tornado	5/16/11	50,000	32,260	0	15,419	16,840	0	0	0	0	0
1106 Woodbury, Monona, Harrison, Pottawattamie, Mills, Fremont	7/18/11	500,000	185,531	0	0	124,326	58,179	3,026	0	0	0
1107 Marion, Marshall and Tama	7/18/11	95,000	75,219	0	0	15,245	7,139	47,586	5,250	0	0
1108 Dickinson and Benton	8/1/11	55,496	62,418	0	0	31,917	9,488	0	21,013	0	0
1109 Dubuque and Story	8/8/11	585,000	488,466	0	0	0	418,362	70,104	0	0	0
1110 Emmet	9/26/11	30,888	27,135	0	0	0	27,135	0	0	0	0
1204 Fremont and Union	4/23/12	200,000	45,892	0	0	0	0	0	0	45,892	0
Total - includes some prior closed out disasters not listed here				17,707	78,480	272,944	531,699	120,716	26,263	61,957	0

FEMA Other Needs Assistance (ONA) grant under the federal Individual Assistance Program

1930 ONA 2010 - Total program		2,567,387	46,344	-2,366	840	0	-515	3,358	0	0	0
1930 ONA 2010 - fed 75% share	7/29/10	2,100,000	1,925,540	34,758	-1,774	630	0	-386	2,519	0	0
1930 ONA 2010 - state 25% share	8/30/10	800,000	641,847	11,586	-591	210	0	-129	840	0	0
1931 ONA 2010 - Total admin		83,444	83,444	3,025	1,436	1,022	3,984	2,566	2	-1	0
1931 Admin 100% fed up to cap**		83,444	83,444	3,025	1,436	1,022	3,984	2,566	2	-1	0
1931 Admin state \$ above 5% cap		0	0	0	0	0	0	0	0	0	0
1998 ONA 2011 - Total program		202,967	202,967	0	0	0	174,829	29,727	-2,789	1,200	0
1998 ONA 2011 - fed 75% share	11/4/11	150,000	152,226	0	0	0	131,122	22,295	-2,091	900	0
1998 ONA 2011 - state 25% share*	10/24/11	53,175	50,742	0	0	0	43,707	7,432	-697	300	0
1999 ONA 2011 - Total admin		30,390	30,390	0	0	0	18,079	8,721	2,584	1,004	3
1999 Admin 100% fed up to cap**		7,565	7,565	0	0	0	4,835	2,730	0	0	0
1999 Admin state \$ above 5% cap*	1/30/12	22,825	22,825	0	0	0	13,244	5,991	2,584	1,004	3

* Any dollars authorized for state share of ONA which are not spent on administration are assumed to be allocated for program expenditures.

**FEMA pays 100% of admin up to 5% of the federal 75% share of program expenditures.

Negative expenditures in some later quarters are due to refunds and reimbursements.

Department of Human Services
State and Federal Disaster Funds Authorized by Executive Council

1/22/2013

Executive Council Authorization of Funds for a Governor's Proclamation of a State of Disaster Emergency (29C.20A)

Unit	Description	ExecC Ltr Dated	Authorized Amount	Cumulative Auth. to Date	Spent as of 12/30/2012	Unspent 12/30/2012
1107	Marion, Marshall and Tama	7/18/11	50,000	50,000		
	Marion, Marshall and Tama	9/26/11	15,000	65,000		
	Marion, Marshall and Tama	10/24/11	30,000	95,000		
	Marion, Marshall and Tama - unspent returned	7/30/12	-19,781	75,219	75,219	0
1108	Dickinson and Benton	8/1/11	40,000	40,000		
	Dickinson and Benton	12/19/11	15,496	55,496		
	Dickinson and Benton	7/30/12	6,921	62,418	62,418	0
1109	Dubuque and Story	8/8/11	90,000	90,000		
	Dubuque and Story	8/29/11	260,000	350,000		
	Dubuque and Story	9/26/11	235,000	585,000		
	Dubuque and Story - unspent returned	7/30/12	-96,534	488,466	488,466	0
1110	Emmet	9/26/11	20,000	20,000		
	Emmet	11/21/11	10,888	30,888		
	Emmet - unspent returned	7/30/12	-3,753	27,135	27,135	0
1204	Fremont and Union	4/23/12	200,000	200,000	45,892	154,108

Summary by State Fiscal Year of funds authorized by Exec Council under 29C.20A

SFY2011 funds authorized and spent	Authorized	Spent	Unspent
SFY2012 funds authorized and spent	928,214	471,144	457,070
	853,237	699,129	154,108

State Share authorized for FEMA Other Needs Assistance (ONA) grant under the federal Individual Assistance Program

Unit	Description	ExecC Ltr Dated	Authorized Amount	Cumulative Auth. to Date	Spent as of 12/30/2012	Unspent 12/30/2012
1930	ONA 2010 - state 25% share	8/30/10	500,000	500,000		
	ONA 2010 - state 25% share	9/20/10	300,000	800,000	641,847	158,153
1998	ONA 2011 - state 25% share	10/24/11	41,000	41,000		
1998,1999	ONA 2011 - state 25%/admin above FEMA 5% cap	1/30/12	35,000	76,000	73,567	2,433

STATUS OF STATE AID (Iowa Code 29C.20) NON-HSEMD ALLOCATIONS
Quarterly Update, 12/31/2012
Presented by Office of Treasurer of State

Job Number	Date of Event	Department	Type of Event	Original Allocation	Remaining State Liability
65408012	07/28/2007	DHS	Cherokee Mental Health Institute water line break	\$ 219,578.52	\$ 72,800.00
903	06/11/2008	ICN	Equipment damage from flooding in Linn Co Federal Courthouse	\$ 505,878.62	\$ 75,878.62
904	06/11/2008	ICN	Equipment damage from flooding in Linn Co Community Schools	\$ 51,964.27	\$ 51,964.27
1028	08/09/2009	DNR	Hail storm at Brushy Creek	\$ 4,140.00	\$ 4,140.00
1031	08/09/2009	DHS	State Training School storm damage	\$ 893,628.00	\$ 25,001.03
1133	March - July 2010	DNR	Flooding damage to several Iowa State Parks	\$ 196,964.52	\$ 100,713.41
1237	08/11/2010	DNR	Damage to garage at Brushy Creek State Recreation area due to heavy rains & mud slide	\$ 40,000.00	\$ 40,000.00
1113	08/24/2010	ICN	Equipment damage in Burlington due to high temps and humidity	\$ 18,195.11	\$ 16,195.11
1118	August 2010	ICN	Damage to Fiber Optic Cable due to flooding in Jasper County Skunk River	\$ 22,086.34	\$ 22,086.34
1134	03/22/2011	DPS	Hail damage to 3 vehicles; Districts 2, 3, and 11	\$ 3,976.20	\$ 3,976.20
1138	05/21/2011	DPS	Hail damage to Iowa State Patrol vehicles in Western Iowa	\$ 16,509.92	\$ 16,509.92
1139	06/09/2011	DPS	Hail damage to Iowa State Patrol 5 vehicles	\$ 6,317.62	\$ 6,317.62
1209	06/17/2011	ICN	Damage to Fiber Optic Cable due to flooding & erosion at Bear Creek west of Okmura	\$ 11,416.05	\$ 11,416.05
1218	07/22/2011	DNR	Wind damage to a storage building at Wapsipinicon State Park	\$ 15,561.35	\$ 15,561.35
1204	08/18/2011	DPS	Hail damage to the Atlantic State Radio and 20 vehicles	\$ 165,342.97	\$ 42,545.54
1217	10/13/2011	ICN	Damage to Fiber Optic Cable due to flooding & erosion at Little Turkey River	\$ 10,218.67	\$ 10,218.67
1225	12/25/2011	DNR	Fire damage at the State Parks Trails Office at Big Creek State Park	\$ 499,235.00	\$ 406,763.19
1230	01/10/2012	ICN	Damage to Fiber Optic Cable near Manchester due to rodent chew	\$ 10,369.50	\$ 10,369.50
1229	02/01/2012	ICN	Damage to Fiber Optic Cable due to erosion in Lucas County	\$ 17,756.98	\$ 17,756.98
1232	02/07/2012	ICN	Damage to Fiber Optic Cable in Shelby County due to gopher chew	\$ 6,372.40	\$ 6,372.40
1235	02/22/2012	ICN	Damage to Fiber Optic Cable in Hancock County due to gopher chew	\$ 13,982.60	\$ 13,982.60
1233	02/24/2012	ICN	Damage to Fiber Optic Cable south of Mason City due to rodent chew	\$ 6,831.72	\$ 6,831.72
1234	03/01/2012	ICN	Damage to Fiber Optic Cable along I80 near Oxford due to rodent chew	\$ 10,498.98	\$ 10,498.98
1304	04/14/2012	DPS	Storm and Hail damage to vehicles and the Terrace Hill Alarm System	\$ 141,972.42	\$ 5,596.75
1239	April 2012	DNR	Plugged sewer line and oil sludge from fire at State Park Trails Office - Big Creek	\$ 5,385.00	\$ 5,385.00
1243	05/04/06/12	DPS	Wind and Hail damage to vehicles in Western Iowa and a window at Cherokee	\$ 4,514.98	\$ 1,790.00
1242	05/14/2012	ISF	Fire damage to a warehouse at the Iowa State Fair grounds	\$ 29,262.00	\$ 29,262.00
1303	07/07/2012	IA St Fair	Fire damage to ticket booth 3 at the Iowa State Fair Grounds	\$ 4,960.00	\$ 4,960.00
1302	07/27/2012	ICN	Damage to cable due to erosion in the Whitebreast Creek Area	\$ 7,457.13	\$ 7,457.13
TOTALS				\$ 2,366,769.47	\$ 1,042,350.38

2013 JUN 22 PM 8:27